



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Lewis GRUBER, et al.

Group Art Unit: 1637

Application No.: 10/735,395

Examiner: Stephanie Kane MUMMERT

Filed: December 12, 2003

Atty Dkt No: 71527.0010

Confirmation No.: 1707

Customer No.: 57362

For: CONFIGURABLE DYNAMIC THREE DIMENSIONAL ARRAY

**REQUEST FOR REFUND OF FEE UNDER 37 CFR 1.97(e) FOR
SUBMISSION OF INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

It has come to the attention of the undersigned that a fee of \$180.00 for submission of an Information Disclosure Statement (IDS) under 37 CFR 1.97(e) was charged to Deposit Account No. 50-0951 on December 24, 2007. We believe this fee to be in error and hereby respectfully request a refund of the \$180.00 fee.

The cited reference in the Information Disclosure Statement filed on June 20, 2007 was first cited and characterized in the European Search Report issued June 4, 2007. Since the Search Report was issued not more than three months prior to filing of the Information Disclosure Statement, no fee under 37 CFR 1.97(e) is required. Accordingly, we request that the \$180.00 fee be credited to Deposit Account No. 50-0951. A copy of the original filing and search report is enclosed herewith.

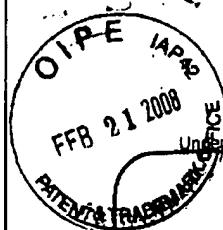
Adjustment Date: 03/07/2008 SDIRETA1
07/09/2007 WPHILLIP 00000002 500951 10735395
01 FC:1806 180.00 CR

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such an extension is to be charged to Deposit Account No. 50-0951.

Respectfully submitted,

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PTO/SB/21 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DEP KREF

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number 10/735,395
		Filing Date December 12, 2003
		First Named Inventor Lewis GRUBER
		Art Unit 1637
		Examiner Name Stephanie Kane MUMMERT
Total Number of Pages in This Submission	Attorney Docket Number 71527.00010	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Please charge any fees or credit any overpayments to Deposit Account No. 50-0951.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AKERMAN SENTERFITT		
Signature			
Printed name	Jean C. Edwards, Esq.		
Date	February 21, 2008	Reg. No.	41,728

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name			Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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